

AG's file

26 July 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

The two Negro officers from Nowata, Oklahoma, whose father was refused burial in the cemetery there, are Lt. Col. Paul W. Hubbard of the Army, and Lt. Col. George M. Hubbard of the Air Force.

Their father, George Washington Hubbard, had lived in Nowata for 41 years and was in the same job there as custodian in a bank for 36 years. When he died his family was refused space in the Memorial Cemetery which is owned by the city. The two sons wired you and the telegram was sent to me.

I called Senator Edmondson. The original decision was made by the City Manager. Senator Edmondson talked to him, and when that did no good, arranged for the City Council to review the decision of the City Manager. They stood behind it. The Senator then asked the Governor to intervene, and another Council meeting reached the same decision.

Mr. Hubbard's body was buried in Coffeyville, Kansas.

There is a Negro on the City Council but it seems apparent that he is a segregationist.

BA

29 July 1968

MEMORANDUM FOR THE ATTORNEY GENERAL

I have discussed the attached with Bernie Boutin. The only specific disadvantage he sees is that Senator McClellan may react in some way in his capacity as Chairman of the Government Operations Committee. In addition, of course, the use of this leverage would not sit well with those who are already mad at us because of civil rights. There would be a good many disposals effected. For example, Leander Perez is now negotiating for some property for school use; if he gets it from the federal government, it will be of great financial benefit. There are other such projects where half or all of the fair value is forgiven. If some of these deals fall through, it is Mr. Boutin's view that the Government as a whole will not be damaged thereby. I would agree. Perhaps you should discuss it directly with him, or we should have a meeting.

BM

Attachment

D C AGS
2 August 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

This morning at 9:40 Mayor MacLean of Savannah, Georgia, called Mr. Marshall to report that in his opinion, things were "going to be all right down here" -- an agreement has been worked out that seems to be satisfactory to everyone concerned, and he thinks Savannah is over the hump.

John Doer
First Assistant
Civil Rights Division

cc: AAG Oberdorfer

Form No. DJ-96a
(Rev. 4-13-61)

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	
NAME	BUILDING AND ROOM
1. Mr. Joseph Dolan	4208
2. <i>File</i>	
3.	
4.	
5.	

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Will you contest this group and see if we can't get something on race problems and on our legislation.

NdeBK

FROM		
NAME	BUILDING, ROOM, EXT.	DATE
NdeBK		6/29/63

AGS folder

DEPARTMENT OF JUSTICE

TO

- ☐ ATTORNEY GENERAL
- ☐ EXECUTIVE ASSISTANT
- ☐ OFFICE OF PUBLIC INFORMATION
- ☒ DEPUTY ATTORNEY GENERAL
- ☐ EXECUTIVE OFFICE—U. S. ATTORNEYS
- ☐ EXECUTIVE OFFICE—U. S. MARSHALS
- ☐ SOLICITOR GENERAL
- ☐ ADMINISTRATIVE DIVISION
- ☐ LIBRARY
- ☐ ANTITRUST DIVISION
- ☐ CIVIL DIVISION
- ☐ CIVIL RIGHTS DIVISION
- ☐ CRIMINAL DIVISION
- ☐ INTERNAL SECURITY DIVISION
- ☐ LANDS DIVISION
- ☐ TAX DIVISION
- ☐ OFFICE OF LEGAL COUNSEL
- ☐ OFFICE OF ALIEN PROPERTY
- ☐ BUREAU OF PRISONS
- ☐ FEDERAL BUREAU OF INVESTIGATION
- ☐ IMMIGRATION AND NATURALIZATION SERVICE
- ☐ PARDON ATTORNEY
- ☐ PAROLE BOARD
- ☐ BOARD OF IMMIGRATION APPEALS
- ☐ ATTENTION: _____

- | | |
|-------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> SIGNATURE | <input type="checkbox"/> NOTE AND RETURN |
| <input type="checkbox"/> APPROVAL | <input type="checkbox"/> SEE ME |
| <input type="checkbox"/> RECOMMENDATION | <input type="checkbox"/> PER CONVERSATION |
| <input type="checkbox"/> COMMENT | <input type="checkbox"/> AS REQUESTED |
| <input type="checkbox"/> NECESSARY ACTION | <input type="checkbox"/> NOTE AND FILE |

- ☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
- ☐ PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS:

June 27, 1963

Mr. Katzenbach:

I am going through an old pile. This sounds very useful, but it would be bad for them to turn it down. I have no information on that. Could we possibly get anything on race problems out of this.

BM

Joe Dole

Will you contact the group and see if we can't get something - some papers and a one legislative plan

FROM _____

Form No. CVR-17

(Ed. 6-22-61) Civil Rights Division

- (☒) Assistant Attorney General
- () First Assistant
- () Second Assistant
- () Chief, Trial Staff
- () Mr. _____
- () Chief, General Litigation Section
- () Deputy Chief, Gen. Litigation Sec.
- () Head, Const. Rights Unit
- () Mr. _____
- () Head, Federal Custody Unit
- () Mr. _____
- () Chief, Appeals & Research Section
- () Miss Blair
- () Chief, Voting & Election Section
- () Mr. _____
- () Not Indexed - For Information

INDEX TITLE: **NO DOCKET CARD**

Cross Ref: _____

~~RETURN TO: [REDACTED] [REDACTED]~~

THE ATTORNEY GENERAL

Deputy Attorney General.....	2
Solicitor General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Tax	
Assistant Attorney General, Civil	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal.....	
Assistant Attorney General, Legal Counsel.....	
Assistant Attorney General, Internal Security.....	
Assistant Attorney General, Civil Rights	1
Administrative Assistant Attorney General.....	
Director, FBI.....	
Director, Bureau of Prisons.....	
Director, Office of Alien Property.....	
Commissioner, Immigration and Naturalization...	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Special Assistant for Public Information	
Records Administration Office	
1. Burke Marshall	
For the attention of 2. Nick Katzenbach	

6/8

REMARKS: Burke and Nick: This would probably be helpful. Do you have any thoughts?

RFK

To Mr. Katzenbach:
I am going through an old file. This sounds very useful, but I would be glad for that time I don't. I have no information in that. Could we possibly get anything out of this. for

Department of Justice
Washington

26 July 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

The two Negro officers from Nowata, Oklahoma, whose father was refused burial in the cemetery there, are Lt. Col. Paul W. Hubbard of the Army, and Lt. Col. George M. Hubbard of the Air Force.

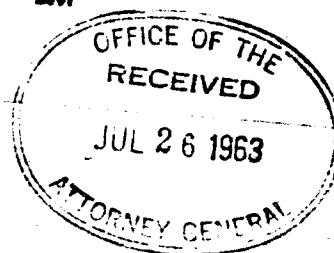
Their father, George Washington Hubbard, had lived in Nowata for 41 years and was in the same job there as custodian in a bank for 36 years. When he died his family was refused space in the Memorial Cemetery which is owned by the city. The two sons wired you and the telegram was sent to me.

I called Senator Edmondson. The original decision was made by the City Manager. Senator Edmondson talked to him, and when that did no good, arranged for the City Council to review the decision of the City Manager. They stood behind it. The Senator then asked the Governor to intervene, and another Council meeting reached the same decision.

Mr. Hubbard's body was buried in Coffeyville, Kansas.

There is a Negro on the City Council but it seems apparent that he is a segregationist.

AM
BM



Letter to the
Attorney General
I have 71
Dear Attorney General

THE SECRET

OFFICE OF
THE ATTORNEY GENERAL



July 26, 1963

FROM THE ATTORNEY GENERAL

Form No. G-1J
(Ed. 3-9-61)



0

THE ATTORNEY GENERAL

Deputy Attorney General.....	
Solicitor General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Tax	
Assistant Attorney General, Civil	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal.....	
Assistant Attorney General, Legal Counsel.....	
Assistant Attorney General, Internal Security.....	
Assistant Attorney General, Civil Rights	<input checked="" type="checkbox"/>
Administrative Assistant Attorney General.....	
Director, FBI.....	
Director, Bureau of Prisons.....	
Director, Office of Alien Property.....	
Commissioner, Immigration and Naturalization...	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Special Assistant for Public Information	
Records Administration Office	

For the attention of _____

August 2, 1963

REMARKS:

GEORGE MIDDLETON
3908 North Fourth Street
Arlington 3, Virginia



The Honorable Attorney General

Justice Department

Washington

Personal

DC

3906 N 4th Street, Arlington, Va
July 13, '63

To the Honorable Attorney General
Robert Kennedy
Justice Department.

Dear Mr Attorney General:

For your private eye- if this ever reaches
you- I want to commend most highly Burke Marshall
for his extraordinarily effective contribution be-
fore the Commerce Committee.

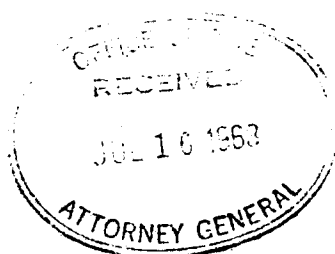
I heard his entire testimony, which was
notable for its clarity, resourcefulness and quiet
but commanding authority. It was gratifying in every
way.

I am not without long experience with
Senate Committee hearings, going back many years.

I was glad to have a word with you,

Cordially,

George Middleton
George Middleton



*7th + The
of Books*

06
July 31, 1963

Dear Mr. Middleton:

Many thanks for your recent letter concerning the appearance of Burke Marshall before the Commerce Committee. I could not agree with you more on your appraisal of his testimony.

Sincerely,

Robert F. Kennedy

Mr. George Middleton
3908 North 4th Street
Arlington, Virginia

JKL/

VA.
Attorney General
Justice Department

Washington

Form No. 6-11
(Ed. 3-1-61)

File

AGS for

THE ATTORNEY GENERAL

Deputy Attorney General.....	
Solicitor General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Tax	
Assistant Attorney General, Civil	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal.....	
Assistant Attorney General, Legal Counsel.....	
Assistant Attorney General, Internal Security.....	
Assistant Attorney General, Civil Rights	✓
Administrative Assistant Attorney General.....	
Director, FBI.....	
Director, Bureau of Prisons.....	
Director, Office of Alien Property.....	
Commissioner, Immigration and Naturalization...	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Special Assistant for Public Information	
Records Administration Office	

For the attention of _____

REMARKS:

AG
August 1, 1963

MEMORANDUM FOR: The Attorney General

FROM: Louis Martin

1. In an exploratory conference with Lee White regarding threatened violence in demonstrations in New York and elsewhere I brought up the possibility of making some use of the Civil Rights Commission.

a. It seems to me that quick emergency hearings could be called by the Civil Rights Commission at trouble spots. With subpoena power the key figures on both sides in the trouble areas could be questioned. If there are fakers and irresponsible leaders involved, they could be exposed, and be made to look ridiculous. This would dissuade innocent do-gooders from joining them.

b. I think the calling of such hearings might tend to put the brakes on extremists who might be seeking to use the legitimate grievances of Negroes for ulterior purposes.

2. Lee White pointed out that while various civil rights leaders have cautioned against violence in demonstrations individually, they have not done it in concert. I believe it is possible to get the big six civil rights leaders on a national television network to caution against violence in the demonstrations. It is conceivable that such a television program could be done in a few days before the August 13th demonstration in Washington. Roy Wilkins is on "Meet the Press" August 13 and has agreed to keep off other programs a few days before and after that date.

To: The Attorney General
Fr: Louis Martin

PAGE 2

3. Personally, I do not believe that full use is being made of all the Civil Rights Commission's resources in this critical period. I also agree that they have not shown the greatest wisdom in some of their operations in the past. Nevertheless, I feel that some of the heat of the current crisis could be deflected their way.

August 7, 1963

MEMORANDUM TO THE ATTORNEY GENERAL

I think this is inconclusive to show any continuing relationship. The Bureau should keep on it, and we should wait.

BM

Mr. Marshall
Rm. 1145
AG file

AUG 7 1963

Honorable Terry Sanford
Governor of North Carolina
The State Capital
Raleigh, North Carolina

Dear Governor Sanford:

I have just had an opportunity to examine the collection of your public statements and the related press comments contained in the booklet "North Carolina... A Study in Moderation."

Your frank and outspoken concern over the manifest injustice of racial discrimination displays the kind of courageous leadership of which the state of North Carolina may well be proud. The advances made in eliminating Negroes' just causes of complaint are many, and your recognition of the relationship between racial discrimination and the quality and quantity of economic and educational opportunities available to Negroes in your state and elsewhere is constructive.

Your own express conviction that "no group of our citizens can be denied the right to first-class citizenship..." eloquently states the goal and it is crucial that all of us join in working towards its full realization. You have shown leadership in this effort which could well be followed by many chief executives in the North as well as in your part of the nation.

Sincerely,

ROBERT F. KENNEDY

Attorney General

Terry, I hope I am not causing too much trouble for you down there. Just deny you ever met me--that is the only advice I can think to give you.

RFK

August 9, 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

I don't think it is necessary or desirable to make the Service's duties and procedures as specific as they are in Section 2. It will save people; it sounds bureaucratic; and I doubt whether "hearings" will be fruitful.

RM

August 9, 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

John McHally is one of the eleven who are going to be installed as the first members of the Football Hall of Fame. He is a great fellow. Byron is going out to present McHally with his plaque. I told McHally that I would call this invitation to your attention. Their position is that Presidents generally have done a great deal for baseball, but nothing for football, and that President Kennedy should do something for football. McHally is a friend of mine, a long-time friend of John Dear, and a supporter and booster of yours.

MM

NEWBY

Form No. G-11
(Ed. 2-2-61)

file
AGS

From

0

THE ATTORNEY GENERAL

Deputy Attorney General.....	
Solicitor General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Tax	
Assistant Attorney General, Civil	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal.....	
Assistant Attorney General, Legal Counsel.....	
Assistant Attorney General, Internal Security.....	
Assistant Attorney General, Civil Rights	<input checked="" type="checkbox"/>
Administrative Assistant Attorney General.....	
Director, FBI.....	
Director, Bureau of Prisons.....	
Director, Office of Alien Property.....	
Commissioner, Immigration and Naturalization...	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Special Assistant for Public Information	
Records Administration Office	

For the attention of _____

August 17, 1963

REMARKS:

22 August 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

I have considered the people in this Division for Earl Bernhard's job, and decided Bob Owen would be best from here, apart from John Dear who does not want it and who cannot be spared. Owen's drawback would be a lack of experience in public appearances, outside the courtroom. I think that less important than other factors — particularly good sense and loyalty. Attached are John Dear's views. In other Divisions, I think Howard Wilkins in Criminal, Bill Doolittle in Civil, John Jones at least in Tax, and Steve Pollack (if your bill doesn't get through) are possibilities.

BM

Attachment

31 August 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: School Desegregation in Alabama

We have taken the following steps:

1. The original of a Proclamation and Executive Order has been sent to General Clifton in Hyannisport. Both documents are appropriate for either Tuskegee or Birmingham, but not for both.

Unless it is called off by noon on Tuesday, one battle group (1350 personnel) will be put on a 30 minute alert for Wednesday at Fort Campbell, Kentucky. This will enable this group to be in Birmingham, on duty, five and one-half hours from call. In order to accomplish this, it is necessary to collect 100 trucks for troop movement in Fort McClellan. This is being done over the weekend. The trucks already there will be kept there, and such additional trucks as are necessary will be moved to the Base in small groups from various locations.

2. On Tuesday evening, there will be four Army personnel sent to Birmingham for liaison. We will have John Doss there unless his presence is still required in Tuskegee. If his presence is required in Tuskegee we should send Joe Dolan to Birmingham. We already have two additional lawyers there who are working on preliminaries in the event that it is necessary to seek injunctions against groups interfering with school desegregation.

3. For Tuskegee on Monday there will be 500 military on alert at Fort Benning. 150 of these will be ready to proceed by helicopter to Tuskegee. The rest will proceed by road, but can arrive in Tuskegee two and one-half hours after call.

4. On Sunday, the Army is sending one officer from General Billingsley's command to handle liaison with John Dorr.

5. There will be 16 deputy marshals on call in Tuskegee on Monday morning. Five of these are from Florida, and the rest are from Washington. They will rent cars in different places and will not spend the night in Tuskegee. They will each drive through Tuskegee on Sunday. They are equipped with tear gas bottles and one tear gas cannister each, plus side arms. The FBI will have radio cars available to maintain contact. One FBI car will observe each of the highways leading into Tuskegee on Monday morning.

6. At the PTA meeting in Tuskegee on Friday evening, only four persons out of more than 200 spoke against the action of the schoolboard in admitting Negro students. A motion was made to invite the Governor to Tuskegee for Monday, but it was not even seconded.

BM

cc: The Deputy Attorney General

13 September 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

I don't know Seymour Harris.
Whether this produced anything would
depend on who came and how good he is.
It sounds very vague. Perhaps you
should ask him what kind of agenda
they would have, what would be
discussed.

BN

Attachment

13 September 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

I don't know whether you saw this.

It is a good statement, and was prominently used by the Birmingham News.

BN

Attachment - Lawyers' Statement

Kennedy
21

16 September 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

You asked me for comments on Ramsey Clark's thoughtful memorandum, written after his school trips. My comments follow.

Suggestion No. 1 is basically implemented already through Title III of the omnibus bill. The bill does not provide for desegregation plans being drawn up by HEW, who opposed that approach. But I would recommend a plan of orderly negotiations in picked districts if the Title is passed, and that would accomplish the same end.

Suggestion No. 2 can also be put into effect if the bill is passed. If it is not, I am confident we could stimulate private action such as Ramsey suggests, before next fall.

Suggestion No. 3 is sound, but beyond control.

Suggestion No. 4 will come about if the Department gets into this business under the legislation.

Suggestion No. 5 is something I have discussed with Judge Tuttle. I think it impossible, but it would do no harm to talk sometime to the Chief Justice. I think we should wait until the legislation is acted on. (Do you think we should have Judge Cox or Judge Elliott head this effort?)

Suggestion No. 6 should be acted on if the legislation is passed.

BM

cc: Messrs. Katzenbach
Clark

18 September 1963

MEMORANDUM TO THE ATTORNEY GENERAL

In response to your inquiry on this, it appears from the investigation to date that the police conduct in general was outrageous. We will have a serious problem identifying particular acts with particular officers. However, I am trying to develop a broader kind of case against this sort of repressive and violent police action. We have one, for example, in Danville, Virginia, but I think it would not be wise to bring it there. It may be that one can be developed on the Plaquemines incident. I will keep you advised.

BN

Attachment (FBI memo dtd. 9/3 on
Plaquemines, La.)

September 18, 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Birmingham School Statistics

The following are the school statistics since
September 9 through today:

	<u>Ramsey High School</u>	<u>West End High School</u>	<u>Graymont Elementary School</u>
September 9	876	1,328	51
September 10	916	576	116
September 11	889	350	143
September 12	834	403	181
September 13	835	512	203
September 16	776	466	127
September 17	852	754	173
September 18	876	994	219

The enrollment at Graymont is 227; at Ramsey 916; and
at West End 1,442.

BM

CIVIL RIGHTS DIVISION - CRIMINAL CASE

United States v. James Ramey, Jr. and Louise Ramey
(S.D. West Va.).

On September 18, 1963, a grand jury in Bluefield, West Virginia, returned a two-count indictment against a Wayne County Constable and his wife, a Justice of the Peace. Investigation of the arrest of a Wayne County Republican election official in the early hours of the morning of the 1962 General Election disclosed that the constable arrested and incarcerated the election official on a fictitious complaint and warrant for rape issued by the constable's wife.

Count one of the indictment charges the constable with wilfully depriving the election official of his right not to be deprived of his liberty without due process of law and of his right to be immune from illegal arrest and incarceration by and at the instance of a person acting under color of law.

Count two charges that the constable and his wife, acting under the laws of the State of West Virginia wilfully conspired to violate the provisions of Section 242 of Title 18, United States Code.

File 72-84-55
Docket 12,176

h

CIVIL RIGHTS DIVISION - CRIMINAL CASE

United States v. James Ramey, Jr. and Louise Ramey
(S.D. West Va.).

On September 18, 1963, a grand jury in Bluefield, West Virginia, returned a two-count indictment against a Wayne County Constable and his wife, a Justice of the Peace. Investigation of the arrest of a Wayne County Republican election official in the early hours of the morning of the 1962 General Election disclosed that the constable arrested and incarcerated the election official on a fictitious complaint and warrant for rape issued by the constable's wife.

Count one of the indictment charges the constable with wilfully depriving the election official of his right not to be deprived of his liberty without due process of law and of his right to be immune from illegal arrest and incarceration by and at the instance of a person acting under color of law.

Count two charges that the constable and his wife, acting under the laws of the State of West Virginia wilfully conspired to violate the provisions of Section 242 of Title 18, United States Code.

File 72-84-55
Docket 12,176

I 0
Andrew F. Oehmann, Executive
Assistant to the Attorney General

September 23, 1963

William J. Holloran, Executive Assistant
Civil Rights Division

Attorney General's Book of Important Cases

Attached is one new item in the case of
United States v. James Ramey, Jr., and Louis Ramey.

UNITED STATES GOVERNMENT
Memorandum

OA 60

TO : Andrew F. Oehmann, Executive
Assistant to the Attorney General

DATE: September 23, 1963

WJA

FROM : William J. Holloran, Executive Assistant
Civil Rights Division

SUBJECT: Attorney General's Book of Important Cases

Attached is one new item in the case of

United States v. James Ramey, Jr., and Louis Ramey.

Buckie
This is the kind
of thing that could
be used by us
for us

WJA

you & your
people have
lost this much
effort.

Just don't know
to understand how things
are done in West Va.
people

PS, f.d. am

no more money to be made here and
to make money

For info re
electronic off
of the cons
Constitution
the Beebe.
Meet Attorney
Meet Attorney
On 2/2/68
(2.D. Mead, Jr.)
Nutter Street A. 72
CHAIR ROOM

Form No. G-11
(Ed. 3-6-67)

From

THE ATTORNEY GENERAL

Deputy Attorney General.....	
Solicitor General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Tax	
Assistant Attorney General, Civil	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal.....	
Assistant Attorney General, Legal Counsel.....	
Assistant Attorney General, Internal Security.....	
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Director, FBI.....	
Director, Bureau of Prisons.....	
Director, Office of Alien Property.....	
Commissioner, Immigration and Naturalization...	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Special Assistant for Public Information	
Records Administration Office	

For the attention of Burke Marshall

REMARKS:

Burke:

This is the kind of thing that could
lose West Va. for us too. You and your
people have lost their sense of humor.
You just don't seem to understand how
things are done in West Va.

P. S. I do

P. P. S. If I didn't, you wouldn't be where
you are.

RFK

Attorney General Lauch's Rights Unit

Westfield Attorney General Edward J. Kennedy has applauded the efforts of the Westfield Area Committee on Human Rights in sponsoring the "Challenge of Our Times: the Rights of Man" lectures series at the Westfield Adult School.

His attention was called to the program by Senator Harrison A. Williams of Westfield.

The letter of commendation, sent to Erwin Schoenwaldt, president of the Civil Rights group, said, in part: "I wish to commend your group for this undertaking, as well as the school authorities who have made it possible. Certainly nothing requires more of our attention, study and action than seeing to it that all men, regardless of race, religion or national origin, are able to freely exercise their rights."

"I am sure that those who attend the course will be the richer for it. I am sure, too, that your community, and any other that undertakes a similar program, will enhance its ability to uphold democratic principles in its everyday life."

The series, which begins Sept. 30, explores the origins and psychology of prejudice, the history of minority groups in the United States, the economic, educational, political and individual citizen aspects of the human rights question.

Among the speakers who will appear during the series are: Senator Williams; Miss June Singelhoff, education assistant for education to the NAACP; Dr. Abraham D. Katz, New York State Commissioner on Discrimination in Housing; and George Butler, a member of the President's Committee on Equal Employment Opportunity.

The final session will be a panel discussion on "What Can Westfield Do?" For this session, community leaders, including Mayor Earl A. Torr, Jr., will discuss their roles in protecting individual human rights.

Registration for this course, as well as other adult school courses, can still be made in person through the Westfield Adult School, 100 Main St., from 8 a.m. to 8 p.m. Thus far, more than 60 persons have registered for this series.

LISTER HILL, ALA., CHAIRMAN
 PAT McNAMARA, MISS.
 WAYNE MORSE, OREG.
 RALPH YARBOROUGH, TEX.
 JOSEPH S. CLARK, PA.
 JENNINGS RANDOLPH, W. VA.
 HARRISON A. WILLIAMS, JR., S.C.
 GUYTON M. BIRDICK, N. CAR.
 CLAIRBORNE FELL, S.I.
 EDWARD M. KENNEDY, MASS.
 BARRY GOLDWATER, ARIZ.
 JACOB K. JAVITS, N.Y.
 WILSON L. PROUTY, VT.
 JOHN G. TOWER, TEX.
 LEN B. JORDAN, IDAHO

STEWART E. MCCLURE, CHIEF CLERK
 JOHN S. FORSYTHE, GENERAL COUNSEL

United States Senate

COMMITTEE ON
 LABOR AND PUBLIC WELFARE

September 25, 1963

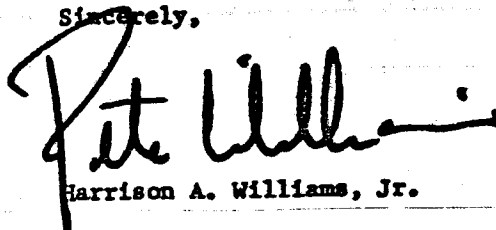
The Honorable Robert F. Kennedy
 Attorney General
 Washington 25, D.C.

Dear Mr. Attorney General:

I appreciate and want to thank you for the fine message
 you sent to the Westfield Area Committee for Human Rights.
 I thought you might be interested in seeing the newspaper
 coverage on it and I am enclosing an article from the Plain-
field Courier News of September 19, 1963.

With kind regards.

Sincerely,


 Harrison A. Williams, Jr.

HAW/s

Dear Senator:
 The Attorney General sent
 us your letter of September 25, and
 the copy of the article from the Plainfield
 paper. I am glad his letter received
 some attention and did have good
 Sincerely,
 144-012-19

144-012-19
 DEPT. OF JUSTICE
 SEP 26 1963
 RECORDS BRANCH
 ATTORNEY GENERAL
 PUBLIC INFORMATION
 CIVIL RIGHTS DIV.
 Gen. Lit. Sec.

PLEASE EXPEDITE

THIS MAIL SHOULD BE
ACKNOWLEDGED WITHIN 48 HOURS

From

THE ATTORNEY GENERAL

Deputy Attorney General.....	<input type="checkbox"/>
Solicitor General	<input type="checkbox"/>
Executive Assistant to the Attorney General	<input type="checkbox"/>
Assistant Attorney General, Antitrust	<input type="checkbox"/>
Assistant Attorney General, Tax	<input type="checkbox"/>
Assistant Attorney General, Civil	<input type="checkbox"/>
Assistant Attorney General, Lands	<input type="checkbox"/>
Assistant Attorney General, Criminal.....	<input type="checkbox"/>
Assistant Attorney General, Legal Counsel.....	<input type="checkbox"/>
Assistant Attorney General, Internal Security.....	<input type="checkbox"/>
Assistant Attorney General, Civil Rights	<input checked="" type="checkbox"/>
Administrative Assistant Attorney General.....	<input type="checkbox"/>
Director, FBI.....	<input type="checkbox"/>
Director, Bureau of Prisons.....	<input type="checkbox"/>
Director, Office of Alien Property.....	<input type="checkbox"/>
Commissioner, Immigration and Naturalization...	<input type="checkbox"/>
Pardon Attorney	<input type="checkbox"/>
Parole Board	<input type="checkbox"/>
Board of Immigration Appeals	<input type="checkbox"/>
Special Assistant for Public Information	<input type="checkbox"/>
Records Administration Office	<input type="checkbox"/>

For the attention of *Mr. Marshall*

REMARKS:

0 - 0
27 September 1963

Honorable Harrison A. Williams, Jr.
United States Senate
Washington 25, D. C.

Dear Senator:

The Attorney General sent me your letter of September 25, and the copy of the article from the Plainfield paper. I am glad his letter received some attention and did some good.

Sincerely,

Burke Marshall
Assistant Attorney General
Civil Rights Division

81
44

30 September 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

Attached is a copy of the plan
for Montgomery, Alabama, which is being
pushed by SNCC, and particularly Rev. James
Bevel. Bevel is in Birmingham now,
recruiting students for the movement.
This could provide a major crisis.

BN



1 October 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: "Military" Public Accommodations Statute

The law prohibiting discrimination in places of entertainment or amusement against persons wearing the uniform of any of the armed forces "because of that uniform" is a criminal statute which was first passed in 1911 and has been reenacted and slightly modified several times since then. It is now codified in 18 U.S.C. 244. It is limited in applicability to the District of Columbia and the territories and possessions of the United States, and was therefore presumably passed pursuant to the special authority of Congress to legislate with respect to federal territory. In my view, it has no bearing on the broader constitutional questions involved in our present legislation.

This does point up the double standard used by those who claim to be against the bill because of an invasion of property rights, or some other reason unconnected with race.

**Burke Marshall
Assistant Attorney General
Civil Rights Division**

2 October 1963

MEMORANDUM TO THE ATTORNEY GENERAL

Re: Bay County, Florida

This is an impact-area school county with which we conducted negotiations in the spring. After obtaining agreements for desegregation from neighboring counties we finally obtained a commitment from Bay County that they would accept Negro students into the white schools under the Florida Pupil Placement statute. The neighboring counties did this this fall. Bay County has rejected two qualified Negro students and has refused even to discuss the matter with us. In addition, I am informed that the office of the Florida Attorney General, which has been very cooperative in the past, has been unable to get any satisfaction from the County authorities.

Since this involves a broken commitment, I have concluded that we have to file suit in the county. This is particularly necessary in view of the fact that two neighboring counties made similar commitments and lived up to them.

BM

October 4, 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Voting Suits

If we are not overtaken by other events which require the time of too many lawyers, I plan on the following suits between now and the end of the year. All of these are conditional upon unsuccessful negotiations, some of which are already underway:

LOUISIANA

1. Against the State challenging the use of application cards as an examination. This would particularly affect practices in New Orleans, Baton Rouge and Shreveport. This is not negotiable since we are challenging the constitutionality of the practice.
2. St. Helena Parish. This is prepared but not negotiated. About 11% of the Negroes of proper age are registered, but almost 80% of the recent applicants have been rejected, as against a 10% rejection rate of whites.
3. East Feliciana Parish. There are about 100 Negroes registered, but there is both intimidation and discrimination in the application of standards. This is in preparation, and will be ready shortly.
4. West Feliciana Parish. There are no Negroes registered. This case is prepared, has been negotiated, and should be filed this month. We are also preparing a 1971(b) case to prevent intimidation by the Sheriff unless they agree to drop criminal charges against a registration worker.

ALABAMA

1. Hale County. A complaint will be ready this month; to be negotiated.
2. Sumter County. A complaint will be ready this month; to be negotiated.
3. Etowah County. This is ready and is being negotiated.
4. Wilcox County. This is an intimidation case which is in preparation.
5. Autauga County. This is not prepared but will be before December 1.
6. Russell County. This is not prepared but will be before December 1.
7. Lowndes County. This is not prepared but will be before December 1.

MISSISSIPPI

1. Lauderdale County. In negotiations which will be unsuccessful.
2. Leake County. In negotiations which will be unsuccessful.
3. Copiah County. In negotiations which will be unsuccessful.
4. Warren County. In negotiations which will be unsuccessful.

GEORGIA

We are preparing an intimidation case in Webster County.

7 October 1963

MEMORANDUM TO THE ATTORNEY GENERAL

The attached concerns a suggestion that the United States propose the creation of a U.N. Rapporteur for Human Rights. This would be done by General Assembly Resolution and would expand U.N. activity in the field somewhat beyond that of present Human Rights Commission. The suggestion is set forth in the cable from Ambassador Stevenson.

The proposal is intended to be limited to avoid having our lines washed in the United Nations. I do not know if that danger can be avoided in any proposal that expands the U.N. role in this area. However, the point is made that a pending U.S. proposal could be used as an argument against any resolution directed more specifically at the U.S.

The State Department wanted you to be informed that this suggestion is drifting up through channels.

BN

8 October 1963

MEMORANDUM TO THE ATTORNEY GENERAL

James Head is the owner of a large stationery business in Birmingham. He has been out in front on these issues for months, and has been helpful to me. He is identified as a liberal on race matters, and accordingly has had little influence on the city as a whole. But even at that, I think this is the first time that he has publically urged changes because they are right, rather than because the existing situation is bad for business.

Charles Zukoski was Executive Vice-President of the largest bank in Birmingham. I think it fair to say that he was fired last year for suggesting out loud that public schools should be kept open. I understand that he is doing some consulting for the International Monetary Fund.

I think it would be good if you wrote them letters. Their letter is great.

BM

Copies of this were sent to
following persons 10/2/63:

Attorney General
AAG Marshall
Mr. Nolan
Mr. Guthman
Miss McGrory
Dr. Irwin Miller
Mr. Knight
Justice White
Justice Black
Mr. Tweed
Mr. Segal
Mr. Cutler

OFFICE OF THE
RECEIVED

OCT 2 1963

ATTORNEY GENERAL

VOICE OF THE PEOPLE—

'At This Very Late Hour'

The bombings continue. Birmingham drifts downward, amid heart-sick doubt at home and unrestrained, bitter, censure abroad. Unless we can find the way to retrieve ourselves from this tragic state, our fate as a community is indeed sealed.

For almost a decade we have been listening to misguided prophets. Ever since the school cases, we have been told, day in and day out, that the Supreme Court has been guilty of unconstitutional violation of our rights, that the Federal Government is some kind of alien power seeking to deprive us of our liberty, and that if we would only hold fast, we could in the end maintain our traditional way of life. Even when, as the pressure grew, some few wise citizens were bold enough to face the inevitable and come out with a plea for law and order, there was no heart in their voices and their words were unaccompanied by any moral conviction.

This is no time for recriminations. At this very late hour, when Birmingham has been blazoned across the front page literally of every paper in America and throughout the civilized world as the most lawless community in our country, when all of us are tasting the bitterness of violence and frustration, it is time for some new appraisals and for a new course of action. We suggest that in charting these, the community must face up to some basic truths:

(1) The Negro is a human being, with all of the feelings, the hopes and the aspirations of his white fellow-man. He is entitled, as a matter of simple fairness, to all of the rights and opportunities before the law possessed by any of us.

(2) The American Constitution guarantees to every citizen the equal protection of the laws. We know in our hearts that segregation has been and is our way of keeping the Negro in his place; that is its purpose and that is its effect. We have wanted it that way, and to say that under segregation there can be any true equality of the races is just a self-serving, plain denial of fact.

(3) The Supreme Court has not violated our system of law. From early English times, ours has been a system of common law, of law made by the judges in day to day determination of controversies between men. In our American system we have engrafted upon this judge-made law constitutional guarantees and the power of the legislature to make changes by statute. But the history of our courts and of the Supreme Court is replete with instances of changing interpretations of constitution, statutes and judge-made law. This has been in fact one of the chief glories of our system, giving it a flexibility, a responsiveness to changing conditions and attitudes of our society, not possessed by any other system. If the people do not like what the courts have decided, they can, through legislation or constitutional amendment, overturn it.

(4) The Federal Government is not attempting to order all our affairs. In the sphere of civil rights, it has merely been saying that we must all obey the final determinations of the Federal courts, and must not, in the arena of public affairs, discriminate on racial lines. The whole structure of our society depends on the maintenance of law and order, and the decision as to what constitutes the law must necessarily be in the court.

(5) There has been no serious effort made in Congress or by either of the major political parties to overturn the Supreme Court decision, and there can be no rational hope that it will be changed in our lifetime or in the lifetimes of our children.

(6) In city after city throughout the South, the people have accommodated themselves to desegregation rather than to destroy their society through a breakdown of law and order. They have found the result, to say the least, tolerable. In every responsible quarter of our own region, we, almost alone, stand condemned.

(7) Terrorists threaten our community. Many people, both white and Negro, are fearful for their property and their lives. Many are afraid to speak out. Our Birmingham Negroes have behaved, on the whole and in the face of unprecedented provocation, with great patience and restraint. They still want to work this problem out peacefully with us. There is still time to grasp their hand and to ease the transition.

(8) The Supreme Court, in its implementing decree of 1955, recognized it would create a serious social problem and gave the South time to meet it. We in Birmingham have done scarcely anything to embrace this opportunity. We have looked away, we have insisted on an illusion the outcome of which is now upon us.

(9) The community's bitter-end resistance to desegregation has literally threatened our economy with destruction. Our downtown area is steadily losing established businesses and patronage. We have, over a period of years now, gained very few new industries and have lost others. An abject discouragement and sense of hopelessness has descended on many of our merchants and industrial leaders. If this trend is not arrested soon, it will have a paralyzing effect on jobs, on purchasing, and on our whole economic cycle.

There are several steps, it seems to us, which the community might now take. One would be for the City Council to appoint and activate immediately the Group Relations subcommittee of its Community Affairs Committee, which it has planned but has not yet brought into being. This committee, consisting of both white and Negro citizens, could study and propose plans for observance of the law, for recognition of basic Negro rights, for implementing more effectively the citizens' agreement of last spring, and for generally reducing tensions. It could obtain, too, we believe, Negro acceptance of a moderate pace of change, as consistent as possible with the deep-seated white feeling on desegregation. And most important, it could begin to re-establish communication between the races without which no betterment of the situation will be possible.

Another frequently suggested and sound step would be immediate action by the Mayor, under power he already possesses, to employ Negro policemen. This would be in line with policy of many Southern cities, including some in Alabama, and would help greatly in maintaining peace and order in Negro districts, in preventing repetition of the bombing outrages and in apprehending criminal offenders. It would also constitute an effective recognition of the Negro's part and responsibility in maintaining law and order.

Other steps would be removal of segregated facilities and irritating segregation signs on premises open to the public, admission of qualified Negroes to practice in our hospitals and to take membership in our professional societies and on boards of community-wide, public-oriented, civic organizations, opening of various other public conveniences to both races, resumption by the city on an unsegregated basis of at least some additional public recreation programs, and development of better job opportunities for the Negro worker.

But any or all of this will be of no avail unless the people of Birmingham will begin to face realistically the facts of life and the principles upon which the American people have so clearly indicated they intend to proceed. It will not do, as our leaders again attempted in their conference with the President last week, to place the blame almost entirely on outsiders. We cannot honestly blame our failure to act simply on outside pressures, and must not permit such pressures, bad as they may be, to serve as an excuse for our not taking the proper course. The fault unfortunately lies in largest measure within us. Unless Birmingham begins to face up to the great moral issue involved, and to recognize the rightness as well as the inevitability of the change, it will indeed be dead.

We do not minimize the difficulty this process of regeneration poses for many sincere men and women. We dare not hope that they will quickly change their minds. But surely now, in the great tragedy of the hour, they will see—as Lee did 100 years ago, when in the face of final defeat he laid down his sword and took up the educator's task of leading his people into a new life not of their choice—that we are faced with ultimate compulsions, which at least many think are right, and which, whatever our view, can no longer be avoided, and that it is for all of us to behave as men and women capable of bravely facing the future that lies so inexorably ahead.

JAMES A. HEAD
CHARLES F. ZUKOSKI, JR.

THE BIRMINGHAM NEWS
September 30, 1963